

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

LEDARIAN PICKRON, #27409-078	§	
	§	
v.	§	Case No. 6:19-cv-267-JDK-KNM
	§	Criminal Case No. 6:17-cr-75
UNITED STATES OF AMERICA	§	

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

Movant Ledarian Dearsey Dentrell Pickron, a federal prisoner, brings this motion to vacate, set aside, or correct his federal sentence pursuant to 28 U.S.C. § 2255. The motion was referred to United States Magistrate Judge K. Nicole Mitchell for findings of fact, conclusions of law, and recommendations for disposition of the case.

On July 11, 2022, and after an evidentiary hearing, Judge Mitchell issued a Report recommending that the Court deny Movant's § 2255 motion and dismiss this case with prejudice. Docket No. 34. Judge Mitchell further recommended that Movant be denied a certificate of appealability *sua sponte*. A copy of this Report was sent to Movant at his address. To date, however, Movant has neither filed objections to the Report nor otherwise communicated with the Court since the November 2021 evidentiary hearing.


This Court reviews the findings and conclusions of the Magistrate Judge de novo only if a party objects within fourteen days of service of the Report and Recommendation. 28 U.S.C. § 636(b)(1). In conducting a de novo review, the Court examines the entire record and makes an independent assessment under the law.

Douglass v. United Servs. Auto. Ass'n, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc), *superseded on other grounds by statute*, 28 U.S.C. § 636(b)(1) (extending the time to file objections from ten to fourteen days).

Here, Movant did not object in the prescribed period. The Court therefore reviews the Magistrate Judge's findings for clear error or abuse of discretion and reviews the legal conclusions to determine whether they are contrary to law. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989), *cert. denied*, 492 U.S. 918 (1989) (holding that, if no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law").

Having reviewed the Magistrate Judge's Report and the record in this case, the Court finds no clear error or abuse of discretion and no conclusions contrary to law. Accordingly, the Court hereby **ADOPTS** the Report and Recommendation of the United States Magistrate Judge (Docket No. 34) as the findings of this Court. Movant's § 2255 motion is hereby **DENIED**, and this action is **DISMISSED** with prejudice. Finally, the Court **DENIES** a certificate of appealability.

So **ORDERED** and **SIGNED** this **10th** day of **August, 2022**.


JEREMY D. KERNODLE
UNITED STATES DISTRICT JUDGE